IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO. 1338 OF 2003

IN

SUIT NO. 1276 OF 2003

IIT Capital Services Ltd .....**Plffs.**
vs.
Ashok Organic Industries Ltd .....**Defnds.**

Narayan Sahu i/b. S.K. Srivastav for the plaintiffs.

CORAM: S.U. KAMDAR, J.

DATE : 6th October, 2005.

P.C. :.

1. There is already an ad-interim order passed by the learned judge on 12.6.2003. By this order the court Receiver has been appointed in terms of prayer clause (b) except the bracketed portion. To set aside the order an application was initiated by the defendant by way of Notice of Motion being 1947 of 2004 and 3256 of 2004. Notice of Motion No. 1947 of 2004 has been withdrawn by the defendant.

The said motion was for setting aside the appointment of the Court Receiver. Notice of Motion No. 3256 of 2004 was heard by the learned single judge and by an order dated 16.9.2005 the said motion was also withdrawn. In the present notice of motion there is no affidavit-in-reply. None appears on behalf of the defendant though they are served. In that view of the matter motion is made absolute interms of the ad-interim order dated 12.6.2003. Motion disposed off accordingly. No order as to costs.

SD/-

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